

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

L9289.06115

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/567,826

INTERNATIONAL APPLICATION NO.

PCT/JP2004/011619

INTERNATIONAL FILING DATE

August 12, 2004

PRIORITY DATE CLAIMED

August 13, 2003

TITLE OF INVENTION

BASE STATION APPARATUS AND TRANSMISSION METHOD THEREOF

APPLICANT(S) FOR DO/EO/US

Kenichi MIYOSHI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/567,826	INTERNATIONAL APPLICATION NO. PCT/JP2004/011619	ATTORNEY'S DOCKET NUMBER L9289.06115				
23. Other items or information: Cover Letter						
The following fees have been submitted: 24. <input type="checkbox"/> Basic national fee \$300		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">CALCULATIONS</th> <th style="width: 50%;">PTO USE</th> </tr> <tr> <td style="text-align: right;">\$</td> <td></td> </tr> </table>	CALCULATIONS	PTO USE	\$	
CALCULATIONS	PTO USE					
\$						
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td style="text-align: right;">\$0.00</td> <td></td> </tr> </table>	\$		\$0.00	
\$						
\$0.00						
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td style="text-align: right;">\$0.00</td> <td></td> </tr> </table>	\$		\$0.00	
\$						
\$0.00						
TOTAL OF 24, 25 and 26 =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td style="text-align: right;">\$0.00</td> <td></td> </tr> </table>	\$		\$0.00	
\$						
\$0.00						
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)				
- 100 =	0 /50 =	0				
		x \$250.00				
		\$				
		\$0.00				
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$				
CLAIMS	NUMBER FILED	NUMBER EXTRA				
Total claims	6 - 20 =	0				
Independent claims	0 - 3 =	0				
		x \$200.00				
		\$				
		\$0.00				
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00		\$				
		\$0.00				
TOTAL OF ABOVE CALCULATIONS =		\$				
		\$0.00				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$				
		\$0.00				
SUBTOTAL =		\$				
		\$0.00				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$				
		\$0.00				
TOTAL NATIONAL FEE =		\$				
		\$0.00				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$				
		\$0.00				
TOTAL FEES ENCLOSED =		\$				
		\$130.00				
		Amount to be				
		\$				
		Amount to be				
		\$				

03/08/2006 MKAYPAGH 00000026 10567826

01 FC:1617 130.00 DP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$ \$130.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4375. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

James E. Ledbetter
STEVENS, DAVIS, MILLER & MOSHER, LLP
1615 L. Street, NW, Suite 850
Washington, DC 20036


SIGNATURE

James E. Ledbetter

NAME

28,732

REGISTRATION NUMBER

March 6, 2006

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Kenichi MIYOSHI
Application No.: 10/567,826
Filed: February 10, 2006
For: BASE STATION APPARATUS AND TRANSMISSION
METHOD THEREOF

COVER LETTER

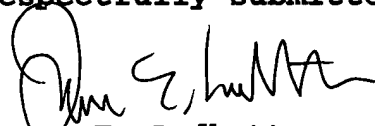
Assistant Commissioner of Patents
Washington, DC 20231

Sir:

Pursuant to MPEP 602, this cover letter accompanies the attached Declaration for Patent Application in the above-captioned application. The attached Declaration identifies the title which was on the specification as filed. This cover letter accurately identifies the application for which the attached Declaration was intended as application number 10/567,826.

Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: March 6, 2006

JEL/ejw
ATTORNEY DOCKET NO. L9289.06115
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, NW, Suite 850
P.O. Box 34387
Washington, DC 20043-4387
Telephone: (202) 785-0100
Facsimile: (202) 408-5200